

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF MICHIGAN
 SOUTHERN DIVISION

UNITED STATES SECURITIES AND
 EXCHANGE COMMISSION,

Plaintiff,

Case No. 09-12950
 Honorable David M. Lawson

v.

JOHN J. BRAVATA, RICHARD J.
 TRABULSY, ANTONIO M. BRAVATA,
 BBC EQUITIES, LLC, BRAVATA
 FINANCIAL GROUP, LLC, and SHARI A.
 BRAVATA,

Defendants.

**ORDER GRANTING THE RECEIVER'S MOTION TO ABANDON HUNTINGTON
 P&R AND ROCKLAND PROPERTY AND AMENDING THE TEMPORARY
 RESTRAINING ORDER, THE PRELIMINARY INJUNCTION ORDER AND THE
 ORDER APPOINTING RECEIVER TO EXCLUDE THE P&R AND ROCKLAND
 PROPERTIES MORTGAGED TO THE HUNTINGTON NATIONAL BANK**

On December 4, 2009, the Receiver filed a motion to abandon certain real properties mortgaged to Huntington National Bank (Huntington). Among these properties were thirteen of the properties collectively known as “P&R and Rockland Properties,” which are identified on Exhibit D to the Receiver’s First Interim Status Report and Accounting for BBC Equities, LLC and Bravata Financial Group, LLC (“Receiver’s Report”) as follows:

Current Fee Owner of Record	Identifying Address
6616 Providence-Whitehouse, LLC	6616 Providence St., Whitehouse, OH
345 Anthony Wayne-Waterville LLC	345 Anthony Wayne Trail, Waterville, OH
1465 Towers-Oregon, LLC	1469 Towers Rd., Oregon, OH
4117 Alexis-Toledo LLC	4117 Alexis Rd., Toledo, OH

1760 Alexis-Toledo LLC	1758 W. Alexis Rd., Toledo, OH
4842 Lewis-Toledo, LLC	4824 Lewis Rd., Toledo, OH
620 Reynolds-Toledo, LLC	616 N. Reynolds Rd., Toledo, OH
28310 Oregon- Perrysburg, LLC	28310 Oregon Rd., Perrysburg, OH
1493 Custer-Dundee, LLC	14293 S. Custer Rd., Dundee, MI
3618 Rockland Circle, LLC	3618 Rockland Circle, Millbury, OH
Rockland-Lemoyne, LLC	27800 Lemoyne Rd., Millbury, OH
3630 Rockland Circle, LLC	3630 Rockland Circle, Millbury, OH
Rockland Maple City, Ltd.	W. Beecher & Bradish Sts., Adrian, MI

Pursuant to the parties' stipulation,

It is **ORDERED** that with regard to P&R and Rockland Properties, the Receiver's motion to abandon Huntington real property [dkt. # 168] is **GRANTED**.

It is further **ORDERED** as follows:

1. The Preliminary Injunction is hereby **MODIFIED** to provide that the P&R and Rockland Properties are **EXCLUDED** from the Preliminary Injunction, and the Receivership Order is modified to release the P&R and Rockland Properties to permit Huntington to exercise its rights as mortgagee, which includes judicial and non-judicial foreclosure proceedings;
2. The Preliminary Injunction is hereby **MODIFIED** to provide that the rents and other proceeds from the P&R and Rockland Properties are **EXCLUDED** from the Preliminary Injunction, and the Receivership Order is modified to direct the Receiver

to turn over to Huntington any P&R and Rockland Properties, including rents and other proceeds, which come into his possession in the future.

3. Huntington shall provide an accounting to the Receiver for all amounts realized on the P&R and Rockland Properties, including rents and other proceeds, and all expenses related to the P&R and Rockland Properties, and shall hold the excess (if any) of all amounts realized on the P&R and Rockland Properties net of expenses above the debt secured by the P&R and Rockland Properties pending further order of this Court.
4. The Receiver shall provide to Huntington an accounting for all P&R and Rockland Properties, including rents and other proceeds and amounts received for the P&R and Rockland Properties, that is presently in his possession or control or that comes to his possession or control later.
5. Huntington shall pay the Receiver the amounts of \$13,245.00 and \$10,000.00 to reimburse them for administrative expenses incurred during the investigation, review, and analysis related to Huntington's mortgages and its motion. This Order shall not become effective unless and until such sums are paid.
6. Huntington shall not make claims against the Receiver or the Receivership estate for matters related to the P&R and Rockland Properties, except for (1) claims related to the accountings and other matters required by this Order and (2) claims and defenses asserted in response to claims (if any) now or hereafter asserted in proceedings by the Receiver or the Receivership Estate against Huntington relating to the P&R and

Rockland Properties, in which event Huntington may assert all claims and defenses that it would have but for this Order.

7. Nothing contained in this Order shall affect the rights of Huntington or the Receiver and the Receivership Estate as to any properties other than the P&R and Rockland Properties nor shall this Order affect the terms and conditions of the Temporary Restraining Order, Preliminary Injunction or Receivership Order in any other respect, including any provision precluding Huntington from proceeding against John J. Bravata, Richard J. Trabulsy, Shari A. Bravata, or Antonio M. Bravata individually.
8. This Court retains jurisdiction over the parties to, and subject matter of, this Order for all purposes, including disputes and unforeseen issues, and that Huntington has consented to such jurisdiction by its approval of this Order.

s/David M. Lawson _____
DAVID M. LAWSON
United States District Judge

Dated: January 13, 2010

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 13, 2010.

s/Teresa Scott-Feijoo _____
TERESA SCOTT-FEIJOO

Approved:

/s/Earle I. Erman

Earle I. Erman, Receiver

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